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CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY CWJ DEPUTY

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12
13 UNITED STATES DISTRICT COURT
14 IN AND FOR THE SOUTHERN DISTRICT OF CALIFORNIA

15 THE ESTATE OF GERARDO) Case No. 08-CV-0781 BEN WMC
16 VALENTINEZ by its personal)
17 representative , SKYE VALENTINEZ, an)
18 individual and minor, by and through her)
19 guardian ad litem,)
20 Plaintiffs,)
21 v.)
22)
23)
24)
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28)
Defendants.)

1 COMES NOW, SKYE VALENTINEZ, an individual and minor, by and through her
2 attorney of record, Eugene G. Iredale, and respectfully submits this Petition for Appointment of
3 Angela Ruiz as Guardian ad litem for Plaintiff SKYE VALENTINEZ

4 Petitioner states as follows:

5 1. I am counsel for SKYE VALENTINEZ in the above captioned action. SKYE
6 VALENTINEZ is a minor under the age of fourteen (14), to wit, 4 years of age. SKYE
7 VALENTINEZ's date of birth is June 5, 2003.

8 2. SKYE VALENTINEZ's father, GERARDO VALENTINEZ, died while in custody of
9 the Homeland Security after he was hog-tied and left on his stomach. This action is filed against
10 the UNITED STATES and the individual officers that Plaintiffs believe are responsible for
11 GERARDO VALENTINEZ' death.

12 3. The proposed guardian, Angela Ruiz, as the biological mother and legal guardian, is
13 not a stranger to the minor, has more than an "ideological interest" in the action and shall be an
14 appropriate alter ego for the minor SKYE VALENTINEZ' interests in this lawsuit. T.W. v.
15 Brophy, 124, F.3d 893, 896 (7th Cir. 1997); Ford v. Haley, 195 F.3d 603, 624 (11th Cir. 1999).

16 4. The proposed guardian, Angela Ruiz, is not a party to this action and therefore can
17 represent the interests of said minor without consideration to herself as a party to the action.

18 5. Angela Ruiz is ready and willing to act as guardian ad litem for SKYE VALENTINEZ
19 as appears by her consent to serve set forth below.

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1 WHEREFORE, Petitioner moves the court for an order appointing Angela Ruiz as
2 guardian ad litem for SKYE VALENTINEZ for the purpose of this action against the defendants
3 on the claims stated in plaintiff's complaint.

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5 DATED: April 29, 2008

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8 By: /s/ Eugene G. Iredale
9 Eugene G. Iredale

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11 I, Angela Ruiz, hereby attest to the content of the above petition and hereby consent to
12 serve as guardian ad litem for SKYE VALENTINEZ

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14 DATED: April 29, 2008

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19 Good cause appearing therefor, the petition for appointment of Angela Ruiz as guardian
20 ad litem for SKYE VALENTINEZ is hereby granted.

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Angela Ruiz
Angela Ruiz

DATED: 6/03/08

N. M. W.
United States District Judge